

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 29TH DAY OF MAY 1998

BEFORE

THE HON'BLE MR.JUSTICE P.VISHWANATHA SHETTY

H.R.R.P.No.299 of 1996

1. Vastala @ Laxmi Mallya,  
W/o Late Hanumantha  
Mallya.
2. K. Sailatha Mallya
3. K.Saishaila Mallya
4. K.Sai Prabha Mallya
5. K.Sai Shanti Mallya
6. K.Sai Kripa Mallya  
.. Petitioners

The first petitioner is the wife of late Hanumantha Mallya, petitioners 2 to 6 are children of late Hanumantha Mallya, the 6th petitioner is a minor, aged 16 years, represented by first petitioner-Mother. The petitioners are residing in Puttur Kasaba, Puttur Taluk, Dakshina Kannada.

(By Sri Ishwar Bhat,  
Advocate)

Vs.

K.Vishwanatha, Kudva  
S/o Mahalinga Kudva,  
Prop: Premananda Cold  
House, Court Road,  
Puttur - 574 201, D.K.  
.. Respondent

(By Sri G.S.Visweswara,  
Advocate)

House Rent Revision Petition filed under Section 115 of the Code of Civil Procedure challenging the order dated 26-10-1995 passed by the Court of District Judge at Mangalore in RRP No.466/88 confirming the order dated 13-9-1988 passed by the Court of Principal Munsiff at Puttur in HRC No.4/82.

The revision petition coming on for admission before Court this day, the Court made the following:

**O R D E R**

This is landlords' revision petition directed against the concurrent finding recorded by the Courts below rejecting the claim of the petitioners for eviction of the respondent-tenant under Section 21(1)(a), (b), (k) and (p) of the Karnataka Rent Control Act, 1961.

2. The premises in question is a non-residential premises. Both the Courts below, on careful examination of the evidence on record, have concurrently held against the petitioners. The finding recorded by the Courts below on all the grounds pleaded by the petitioners, is fully supported by the evidence on record. I do not find any infirmity in the finding recorded by the Courts below which calls for my interference



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in exercise of my power under Section 115 of the Code of Civil Procedure. Therefore, this revision petition is liable to be rejected.

3. Accordingly, the revision petition is rejected.

Sd/-  
JUDGE



ANB.